DEPARTMENT OF STATE A/CDC/MR
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May 23, 1969

Rear Admiral Joseph B. McDevitt, USN
Judge Advocate General
Department of the Navy
Washington, D. C. 20370

Dear Admiral McDevitt:

The settlement and payment of the USS Liberty personal injury, medical expense and reimbursed personal property damage claims by the Government of Israel, which has just taken place, concludes an extended period of cooperation between the Departments of the Navy and State. The preparation of these claims, as well as those that were previously presented to the Government of Israel, required obtaining extensive information and documentary evidence:

a. The 34 death claims required sworn statements by the families and parents of the deceased, indicating the number of dependents, the extent of support and special services provided by the deceased, and other relevant factors.

b. The 164 personal injury claims required sworn statements by the injured men concerning the nature and extent of the injuries, the extent of permanent impairment, the attendant pain and suffering, and other relevant factors. A sworn statement from the attending physician regarding the extent of pain and suffering normally attendant on such injuries was also required, as were medical records of treatment provided, which in some cases extended over a period of more than a year.

c. The claim for damage to the ship required a detailed analysis by naval construction experts of the cost of repairing the ship to its pre-

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June 8, 1967 condition, together with information establishing the qualifications of the experts.

d. The claim for the cost of reimbursing the crew of the USS Liberty for damage to their personal property required records of all payments made to the crew under the Military Personnel and Civilian Employees Claims Act of 1946.

e. The claim for the cost of medical treatment was based on the reports of medical treatment referred to in (b) above.

Commander Richard C. Smith, of the Litigation and Claims Division of your office, organized and directed the extensive work by Department of the Navy personnel in obtaining this information. His energy and thoroughness in this task produced the evidence as rapidly as the volume of material permitted, and his suggestions regarding the content of the material and the most efficient means of obtaining it were invariably sound. In addition to being an experienced and skilled lawyer, Commander Smith was also cooperative and considerate to all the members of this office who worked on the claims. I can conceive of no way in which his performance of this substantial task could have been improved. I accordingly wish to express our appreciation for your assigning an officer of such high personal and professional qualifications to this task.

Sincerely yours,

K

Ernest L. Kerley
Assistant Legal Adviser

cc: Captain Leslie O. Lynch
Director, Litigation & Claims Div, Office of the JAG
Dept of the Navy, Washington, D.C. 20370

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